

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

I. STATUS OF THE CLAIMS

Claims 1-5, 7, 9-21, 24 and 27 are pending in this application. Claims 1-14 and 27 have been canceled herewith without prejudice.

No new matter has been raised by virtue of this amendment. In addition, no new issues have been raised as a result of this amendment.

II. 35 U.S.C. 112, FIRST PARAGRAPH REJECTIONS

Claims 15 and 27 have been rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement.

With regard to the rejection of claim 15, Applicants disagree with the Examiner. The present application provides full support for the limitation “wherein the alkaline solution consists essentially of an alkaline chloride solution”, recited in claim 15. In particular, on page 6, lines 10-13 of the present application it states that “...The alkaline solution may be selected from the group consisting of sodium hydroxide (NaOH), potassium hydroxide (KOH), ammonium hydroxide (NH₄OH), tetramethyl ammonium hydroxide (N(CH₃)₄OH), and chloride solution. The above statement in the present application and the present application as a whole clearly conveys to one skilled in the art that an alkaline chloride solution is intended as being part of the alkaline solution groups which may be selected. The appearance of “chloride solution” alone was nothing more than an obvious typographical error. Thus, the present application as originally filed clearly supports the limitation “wherein the alkaline solution consists essentially of an alkaline chloride solution”, recited in claim 15 and thereby this limitation does not constitute new matter.

With regard to claim 27, this claim has been canceled herewith without prejudice in order to expedite the prosecution of the present application. This in no way constitutes an admission

regarding the merits of the above rejection.

In view of the above actions taken, it is believed that the above rejections have been overcome and thus removal of these rejections is requested.

III. 35 U.S.C. 103(a) REJECTIONS

(i) Claims 1-5, 7, 9, 12 and 14 have been rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 4,670,186 to Quinlan ("the Quinlan patent").

(ii) Claims 1-2, 4, 7, 9 and 12-14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,032,466 to Otrhalek et al. ("the Otrhalek patent")

(iii) Claims 3 and 5 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Otrhalek as applied to the above claims, and further in view of Quinlan.

(iv) Claims 1-5, 7 and 9-11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,817,252 to Hu et al. ("the Hu patent").

(v) Claims 15-18 and 24 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Sato in view of U.S. Patent Application Publication No. US2004/0142835 to Takashima ("the Takashima publication").

(vi) Claims 1-5, 7, 9-11 and 19-21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Sato; or Sato in view of Takashima as applied to claims 15-18 and 24 above, and further in view of U.S. Patent No. 6,379,875 to Chu ("the Chu patent").

It is initially noted that claims 1-5, 7 and 9-14 have been canceled herewith without prejudice in order to expedite the prosecution of the present application and this in no way constitutes an admission regarding the merits of the above rejections. Thus, the above rejections to claims 1-5, 7 and 9-14 are now moot.

Next with regard to claim 15, it is again noted that the Takashima publication cited in the instant Office Action, does not qualify as prior art with respect to any of the pending claims, including claim 15. As discussed in the previous amendment dated January 16, 2007, the effective filing date of Takashima for 35 U.S.C. 102(e) purposes is after the foreign priority date claimed under 35 U.S.C. 119 by the present application to Korean Patent Application No. 10-2003-0035345 ("the priority document"). **(See pages 7 and 8 of the Amendment dated January 16, 2007).** Thus, Takashima is clearly not prior art with respect to any of the pending claims of the present application, including claim 15.

The Examiner alleges that Takashima does qualify as prior art because according to the Examiner the foreign priority document does not provide full support for the added limitation in the claim 15 (i.e. wherein the alkaline solution consists essentially of an alkaline chloride solution).

As noted above, Applicants disagree with the above statement by the Examiner. Rather, the Korean priority application for the present application indeed provides full support for the limitation "wherein the alkaline solution consists essentially of an alkaline chloride solution", recited in claim 15. In particular, on page 6, lines 10-13 of the English translation of the priority document it states that "...The alkaline solution may be selected from the group consisting of sodium hydroxide (NaOH), potassium hydroxide (KOH), ammonium hydroxide (NH₄OH), tetramethyl ammonium hydroxide (N(CH₃)₄OH), and chloride solution." The above statement in the Korean priority application and the priority document as a whole clearly conveys to one skilled in the art that an alkaline chloride solution is intended as being part of the alkaline solution groups which may be selected.

Consequently, for at least the reasons set forth above, the Korean priority application provides full support for the limitation "wherein the alkaline solution consists essentially of an alkaline chloride solution", recited in claim 15. Therefore, Takashima does not constitute prior art and thus cannot be relied upon to support the current claim rejections, including to claim 15 under 35 U.S.C. 103(a). Accordingly the claim rejections under 35 U.S.C. 103(a) are legally deficient on their face and consequently must be withdrawn.

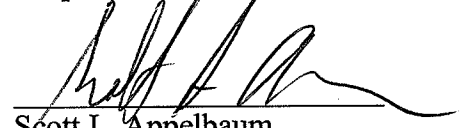
Therefore, withdrawal of the above rejections to claim 15 is respectfully requested. As claims 16-21 and 24 depend from and incorporate all of the limitations of claim 15, withdrawal of the rejection to these dependent claims is also respectfully requested.

IV. CONCLUSION:

For the foregoing reasons, the present application is believed to be in condition for allowance. The Examiner's early and favorable action is respectfully requested.

The Examiner is invited to contact the undersigned if he has any questions or comments in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott L. Appelbaum', is written over a horizontal line.

Scott L. Appelbaum
Reg. No. 41,587
Attorney for Applicant

F. Chau & Associates, LLC
130 Woodbury Road
Woodbury, NY 11797
Tel: (516) 692-8888
Fax: (516) 692-8889